



COMMUNITY DEVELOPMENT COMMITTEE

MINUTES

4:00 PM September 28, 2022
2nd Floor Conference Room, City Hall

1. ROLL CALL

City Council Members: Kyle Strengholt, Brent Lensen, Gary Bode

City Staff: John Williams, Heidi Gudde

Community Members: Gary Vis, Stephanie Rogers, Miles Davis, Claudia B., Keenan Haak

2. APPROVAL OF MINUTES

- Community Development Committee Meeting Minutes of 6/16/22 approved as presented.

3. **Unscheduled Item: Parking on Public Streets**

- Keenan Haak, a resident from 17th Street, visited the CDC to explain concerns regarding parking requirements for multi-family parking requirements. His concerns related to an overflow of parking demand onto 17th Street near Kok Road. This has resulted in some long term parking in front of his house. The owners of the vehicles live in a multi-family development that is out of site and earshot. In one case a car alarm went off for hours without the vehicle's owner being aware.
- Haak is aware that the street is public and vehicles are permitted to park for up to 72 hours. He's documented instances when vehicles have stayed in one spot for a week. He's had conversations with the police department and the City Administrator about this issue.
- Committee noted that multi-family parking requirements expected to increase with upcoming code changes.
- Committee discussed the option to reduce the total number of hours that a vehicle can sit on a city street from 72 to 48 hours.
- The group also discussed dedicating more resources toward enforcement of parking regulations.

- Conclusions: CDC asked Haak to allow the group more time to consider options.

4. Unscheduled Item: COMMUNITY RESIDENTIAL FACILITIES

- As guests to the CDC were interested in this topic Lenssen asked Gudde for an update on pending ordinance regarding transitional housing (community residential facilities).
- Gudde explained that the final ordinance is currently being reviewed by legal counsel. The expected timeframe for that ordinance includes the following:

November 18 – Community Development Community meeting

December 1 – Public Safety Committee meeting

December 22 – Public hearing with the Planning Commission

January and February – Department of Commerce comment period

March 6 – Public hearing with the City Council (final decision)

Temporary interim zoning ordinance went into effect on September 15 for 60 days and a public hearing will be held on October 17 to accept comment and for the City Council to extend the ordinance to a full 6 month time period. Map exhibit will be available showing the buffers from schools.

Additional discussion about what aspects must be considered as the legal review continues on the final ordinance. Draft of this ordinance likely ready for public distribution by November 15.

- Residents expressed concern about the delay in the timeframe on the final ordinance. Committee noted that the delay related to the drafting of the interim ordinance which took the attorneys attention away from the final ordinance review.
- Lenssen noted that this ordinance is one of the most complicated the City has considered in recent years and will take time to get it right.
- Miles Davis, of Envision Ministries, expressed appreciate for the work that the City has been doing.

5. INFORMATIONAL ITEMS: Buildable Lands Report

- Gudde informed the group that the County Planning Commission will be considering the Buildable Lands Report at their October 13th meeting. The CDC meeting package included a summary of that presentation.
- The City Council will be asked to consider and approve the Buildable Lands Report at a November hearing.
- The group discussed the difference between planned and achieved density. Planned density looks forward and achieved density looks back at what was actually constructed. The City of Lynden shows an achieved density that is greater than the planned density. Gudde noted that this represents only construction since 2016. The City's Comprehensive Plan sets the goal of having 5 units per acre across the City and, in order to achieve this, would required 7 units per acre throughout new UGA areas. The upcoming 2025 Comp plan update will provide updated numbers in these areas.
- Gudde talked with the group about the market factor that the report tries to capture. The consultant and city planners used tools such as property owner surveys to explore land owners' intentions regarding future development.

6. DISCUSSION ITEM: Planning and Housing (Building Division) Budget

- Lenssen introduced the topic and noted that narratives as well as a budget memo had been distributed by the Planning Director.
- Topics discussed related to the budget included the potential downturn in the demand for building review and permitting due to a softening economy and / or higher interest rates which are now over 6.5%. Gudde noted that recent months had been slower but due more to the lack of available lots than rising interest rates. Generally, the Building Official has found that builders' sense of anxiety seems to be higher and spec homes are not as common.
- Staffing. Adding 0.75 in administrative staffing will assist planning and building staff in covering phone calls and greeting visitors so that these inquires can be appropriately directed. Due to workload it has become more difficult for staff to cover all phone calls and contractors are having trouble reaching staff to schedule inspections. The new admin position will also be an individual that can monitor the Planning Dept's website so

that relevant issues can be updated regularly. This could include updates to ongoing development projects and outreach on legislative and quasi-judicial items. Gudde indicated that staff has only been able to be reactive rather than proactive when it comes to recent issues. Planning, obviously, is best done with a proactive approach.

- Online offerings could be vastly improved. This could include permit tracking, permit submittal, scheduling inspections, and paying for fees. Haak, a member of the development, asked that the City not become as impersonal as other local cities. He appreciates the ability to come into City Hall and be able to talk with staff. Software expense related to tracking were mentioned but are not included in the 2023 budget. These requests are expected to appear in future years.
- Vis, from the Chamber of Commerce, expressed appreciation for the Planning Dept and how he is able to send development inquires to staff. Feedback on the process with the department has been good.
- Special projects. Advanced wetland mitigation and economic development are special projects that staff could spend more time on if they had assistance with day to day tasks. Long term planning documents are difficult to focus on when handling phone calls and walk-ins.
- Code enforcement. Additional time has been needed to address code enforcement. At the moment several code enforcement issue are progressing to monetary consequences. Tracking and enforcing these issues is expected to take more staff time in the future. Admin support in these areas will be beneficial.
- Legal expenses were discussed. The 2022 budget included \$50k for legal expenses and this is requested again for 2023. Gudde noted that as of August 31 the department had spent \$40k of that budget but recent work related to community residential facilities and the SEPA appeal defense will likely push legal expenses over the \$50k this year. It should be noted that legal expenses are paid from the general fund and can be difficult to pin to one single department.
- Planning services will be sought in 2023 for assistance with the 2025 Comp plan update. The 2022 budget has \$14k that is unspent. Gudde has requested that this be rolled over into 2023 and funds added to reach \$30k to secure a consultant and begin planning efforts. She noted that we can expect some funding from the State for Comp Plan update efforts but that those funds are not yet available.

Conclusions: Committee expects to see full budget numbers in the next month. Lenssen and Strengholt expressed support via motion for additional staffing request of a full time admin assistant, to be shared by the Planning Dept and Building Division as proposed by the Planning Director. This would be the addition of 0.75 FTEs as the Department currently covers 0.25 FTEs of one of the Public Works admin positions. This arrangement would be discontinued with the hire of a Planning Admin.

7. DISCUSSION ITEMS: Update re Mixed-use Code and Amendments to LMC 17, 18, and 19

- Update re Mixed-use Code and Amendments to LMC 17, 18, and 19 from Gudde. This included updates after the Planning Commission hearing on this item as well as two Comprehensive Plan Amendments (CPA). One CPA brought forward by Lynden Door to shift a parcel with split zoning to fully industrial. The second CPA is city-led and includes changes to sub-area delineations, the identification of the mixed-use overlay and associated qualifying commercial centers, and a revision to the Future Land Use map for UGA parcels south of the Birch Bay Lynden Road. Gudde noted that the Planning Commission had recommended, differently than the staff recommendation, to assign a single family zoning category to all parcel south of the BBL Rd. when they are annexed into the City.
- The Committee asked if this would then mean the existing businesses would become non-conforming. Gudde confirmed that it would. She also noted that future plans may include a round-about at the intersection of Berthusen and BBL Rd. This may be better suited to uses other than single-family residential.
- Gudde noted that several property owners spoke at the PC meeting and summarized their comments for the group. These will also be reflected in the minutes from that Sept 22nd meeting.
- The code amendments that the Planning Commission considered have reached a recommendation. Gudde noted that only a few conditions were added to their recommendation. One of them related to provisions for the parking of studio apartments. PC suggested that 1.5 parking stalls (rather than 2) should be added to the code. The group discussed this option.
- Updates the PRD code were mentioned. This relates specifically to updates of homeowner association requirements and City review of CCRs. State code now includes updates regarding developer requirements. Legal counsel is reviewing for consistency with state code and will have those edits ready ahead of the Council hearing in December.

- CPAs and code amendments have been transmitted to the Dept. of Commerce for their comment period. Council will see these proposals at the first meeting in December.

Conclusions: Committee asked staff to reach out to property owners south of BBL Rd that would fall within the 40 acres in question re the future land use. Preferences and expectations for future land use are important to the Council members. The opportunities for existing businesses to grow here was noted as a critical factor.

Next Meeting Date: No meeting in October. Next meeting is November 16, 2022

DRAFT